

**Representative Jim Nielson** proposes the following substitute bill:

**FOCUS ON FRONT-LINE TEACHERS PROGRAM**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jim Nielson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill provides additional WPU's to a school district or charter school with a higher than average percentage of resources allocated to front-line teachers.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ creates the Focus on Front-Line Teachers Program, which provides for the distribution of additional WPU's to a qualifying district or charter school, depending on how relatively high the district or charter school is in comparison to the state average in its allocation of resources for front-line teachers.

**Money Appropriated in this Bill:**

This bill appropriates:

- ▶ to the Basic School Program, as an ongoing appropriation:
  - from the Education Fund, \$5,000,000.

**Other Special Clauses:**

This bill provides an effective date.

This bill coordinates with S.B. 2, Public Education Budget Amendments.

**Utah Code Sections Affected:**



26 ENACTS:

27 **53A-17a-124.8**, Utah Code Annotated 1953

28 **53A-17a-124.9**, Utah Code Annotated 1953

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30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **53A-17a-124.8** is enacted to read:

32 **53A-17a-124.8. Definitions.**

33 For purposes of Sections 53A-17a-124.8 and 53A-17a-124.9:

34 (1) "Base amount" means a value determined each fiscal year, based upon money  
35 appropriated by the Legislature and prior year average daily membership in kindergarten  
36 through grade 12, plus growth as determined under Subsection 53A-17a-106(3), for Tier 1,  
37 Tier 2, and Tier 3 LEAs.

38 (2) (a) "Front-line teacher" means a licensed teacher who has an assignment to teach a  
39 kindergarten, elementary, secondary, or special education course.

40 (b) "Front-line teacher" does not include a prekindergarten teacher, a school-based  
41 specialist, or a classroom aide.

42 (3) "LEA compensation percentage" means the amount of money from an LEA's  
43 general fund budgeted for front-line teachers, including benefits, divided by the LEA's total  
44 general fund, excluding money budgeted for:

45 (a) capital outlay or debt service; and

46 (b) pupil transportation.

47 (4) "LEA front-line teacher percentage" means the number of full-time equivalent  
48 front-line teachers in an LEA divided by the total number of full-time equivalent employees in  
49 an LEA, excluding employees associated with pupil transportation.

50 (5) "LEA percentage" means the average of an LEA's compensation percentage and the  
51 LEA's front-line teacher percentage.

52 (6) "Local education agency" or "LEA" means a school district or charter school.

53 (7) "Statewide compensation percentage" means the amount of money from all LEAs'  
54 general funds budgeted for front-line teachers, including benefits, divided by all LEAs' total  
55 general funds, excluding money budgeted for:

56 (a) capital outlay or debt service; and

57 (b) pupil transportation.

58 (8) "Statewide front-line teacher percentage" means the number of full-time equivalent  
59 front-line teachers in all LEAs divided by the total number of full-time equivalent employees in  
60 all LEAs, excluding employees associated with pupil transportation.

61 (9) "Statewide percentage" means the average of the statewide compensation  
62 percentage and the statewide front-line teacher percentage.

63 (10) "Tier 1 LEA" means an LEA with an LEA percentage that is at least 7.5  
64 percentage points above the statewide percentage.

65 (11) "Tier 2 LEA" means an LEA with an LEA percentage that is between 5 percentage  
66 points and 7.4 percentage points above the statewide percentage.

67 (12) "Tier 3 LEA" means an LEA with an LEA percentage that is between 2.5  
68 percentage points and 4.9 percentage points above the statewide percentage.

69 Section 2. Section **53A-17a-124.9** is enacted to read:

70 **53A-17a-124.9. Appropriation for Focus on Front-Line Teachers Program -- Data**  
71 **collection -- Audit procedures.**

72 (1) There is created within the Basic School Program, the Focus on Front-Line  
73 Teachers Program to reward an LEA that has a relatively high percentage of front-line teachers  
74 and uses a relatively high percentage of its budget for front-line teachers.

75 (2) Beginning with fiscal year 2013, if the Legislature appropriates money to the State  
76 Board of Education for the Focus on Front-Line Teachers Program, the State Board of  
77 Education shall distribute the money to tier 1, tier 2, and tier 3 LEAs as follows:

78 (a) A tier 3 LEA shall receive the base amount multiplied by its average daily  
79 membership for the previous year.

80 (b) A tier 2 LEA shall receive two times the base amount multiplied by its average  
81 daily membership for the previous year.

82 (c) A tier 1 LEA shall receive three times the base amount multiplied by its average  
83 daily membership for the previous year.

84 (3) The percentages calculated in order to distribute program money shall be based on  
85 data reported for the previous school year.

86 (4) (a) An LEA shall report all necessary data to the State Board of Education for  
87 purposes of calculating the percentages defined in Section 53A-17a-124.8.

88 (b) The State Board of Education shall make rules specifying how an LEA reports  
89 required data for purposes of Subsection (4)(a).

90 (5) By November 1, 2012, the State Board of Education shall conduct an audit of the  
91 data submitted by LEAs pursuant to Subsection (4) to ensure conformity and comparability.

92 (6) By the November 2012 Interim meeting, the State Board of Education shall report  
93 to the Education Interim Committee:

94 (a) the statewide and LEA percentages defined in 53A-17a-124.8;

95 (b) all underlying data used to calculate the percentages, including data submitted by  
96 the LEAs described in Subsection (4)(a); and

97 (c) the results of the audit described in Subsection (5).

98 (7) The State Board of Education may use no more than 1% of money appropriated for  
99 the Focus on Front-Line Teachers Program for administrative costs.

100 **Section 3. Appropriation.**

101 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
102 following sums of money are appropriated from resources not otherwise appropriated, or  
103 reduced from amounts previously appropriated, out of the funds or accounts indicated for the  
104 fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to any  
105 amounts previously appropriated for fiscal year 2013.

106 To Basic School Program

107 From Education Fund \$5,000,000

108 Schedule of Programs:

109 Focus on Front-Line Teachers Program (1775 WPUs) \$5,000,000

110 **Section 4. Effective date.**

111 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.

112 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2012.

113 **Section 5. Coordinating H.B. 135 with S.B. 2 -- Substantive and technical**  
114 **amendments.**

115 If this H.B. 135 and S.B. 2, Public Education Budget Amendments, both pass and  
116 become law, the Legislature intends that the number of Weighted Pupil Units (WPUs) in H.B.  
117 135 Uncodified Section 3 Appropriation, be changed by dividing the total amount of money  
118 appropriated in H.B. 135 by the value of the WPU, as set in S.B. 2.